

LS C-0568a

OGC Has Reviewed

16 March 1956

MEMORANDUM FOR: Chief, Finance Division

SUBJECT : Allowance of Claims for Baby-Sitter Fees Incurred
by Agency Personnel

1. By memorandum of 13 March you have asked our opinion regarding the payment, under certain circumstances, of baby-sitter fees incurred by Agency personnel. The circumstances mentioned are that the claims usually have arisen in instances in which the payment of actual expenses for escorting officers had been approved by the Director and are usually accompanied by a statement to the effect that it was necessary for the officer's wife to be present at operational meetings and, consequently, it was necessary to obtain a baby-sitter.

25X1 2. Paragraph 2 of [] provides for reimbursement for expenditures made "incident to operational contacts". Paragraph 3 of that regulation provides that in no event will reimbursement be allowed in cases of personal gain to the employee unless the expenses were essential to "the making of operational contacts". Whether a baby-sitter expense would be reimbursable under these provisions is basically a question of fact. It would seem that the circumstances recited to you would fall within the quoted regulatory language and that the claims, therefore, should be allowed. We would suggest, however, that the statement of the employee alone should not be accepted, nor should the Finance Division have to make the determination of operational necessity. You should require that the statement of the employee be accompanied by statements of the immediate supervisor and the station chief certifying that it was necessary for the wife to attend the operational meeting and that it was necessary for a baby-sitter to be hired.

25X1A

Assistant General Counsel

OGC/RHL:jcf

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